

port it back to the Senate with the recommendation that it do pass, and be printed.

PURL, Chairman.

Committee Room.

Austin, Texas, March 9, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

S. B. No. 124, A bill to be entitled "An Act to authorize cities and towns to exercise the rights and enjoy privileges and immunities set forth in the Workmen's Compensation Law with exceptions herein set forth, fixing terms and conditions for their operation under such law, providing cities and towns electing to come within the provisions of the Workmen's Compensation Law may do so by creating a fund by taxation to pay claims arising under such insurance corporations for protection, and providing further that said cities and towns may cease to operate under said law by giving notice to the Industrial Accident Board, defining terms, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PURL, Chairman.

Committee Room.

Austin, Texas, March 9, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

S. B. No. 54, A bill to be entitled "An Act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works; providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract; providing in case of dispute as to what are prevailing rates same shall be referred to the Commissioner of Labor for decision; providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials; providing for a forfeiture for each calendar day, or portion

thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract; providing if any part of this Act shall be held unconstitutional it shall not affect the validity of the remainder; providing penalties for violation of the provisions thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PURL, Chairman.

#### FORTY-FIRST DAY.

Senate Chamber,

Austin, Texas,

March 10, 1933.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parr.
Blackert.	Patton.
Collie.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Oneal.	Woodul.
Pace.	Woodward.

Absent—Excused.

Cousins.	Neal.
Holbrook.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

#### Committee Reports.

(See Appendix.)

#### Bills and Resolutions.

By unanimous consent, the constitutional rule relating to the introduction of general bills after the first 52 days of the session was suspended and consent was granted to introduce the following bills:

By Senator Duggan:

S. B. No. 431, A bill to be entitled "An Act to amend Article 1550, Chapter 16, Penal Code of the State of Texas as adopted at the Regular Session of the Thirty-ninth Legislature relative to punishment for swindling, and declaring an emergency."

Read and referred to Committee on Criminal Jurisprudence.

By Senator Regan:

S. B. No. 432, A bill to be entitled "An Act to amend Section 1 of Chapter 117, being House Bill No. 847, passed by the Forty-second Legislature of the State of Texas as appears from page 229 of the Special Laws of said Forty-second Legislature, and declaring an emergency."

Read and referred to Committee on Public Lands and Land Office.

#### Senators Excused.

The following Senators were excused for the day:

Senator Cousins, on motion of Senator Redditt, on account of illness.

Senator Holbrook, on motion of Senator Blackert, on account of important business.

#### S. C. R. No. 18.

On motion of Senator Fellbaum, the Senate concurred in the House amendment to S. C. R. No. 18.

#### Senate Bill No. 142.

The Chair laid before the Senate on its second reading S. B. No. 142. Read second time.

On motion of Senator Woodul, the bill was laid on the table subject to call.

#### Messages From the House.

Hall of the House of Representatives,  
Austin, Texas, March 10, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 421, A bill to be entitled "An Act amending Article 4682 of the Revised Civil Statutes by adding thereto Subsection 21, authorizing the Board of Insurance Commissioners, with approval of the Governor of Texas, to exercise such incidental and implied powers and duties as may be necessary to carry out the purposes and intent of the insurance

laws of this State; and, by adding thereto Subsection 22, authorizing the Board of Insurance Commissioners to prescribe rules and regulations for carrying out the purposes and intent of the insurance laws of this State; and declaring an emergency."

(With amendments.)

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, March 10, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a conference committee to consider the differences between the two Houses on Senate Bill No. 421. The following are conferees on the part of the House:

ANDERSON,  
GREATHOUSE,  
POPE,  
SAVAGE,  
SULLIVANT.

The House has passed the following bill:

H. B. No. 169, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain eleemosynary institutions of the State and other expenses of maintaining and conducting them for the two fiscal years, September 1, 1933, to August 31, 1935, inclusive, etc., and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### House Bill Referred.

H. B. No. 169, referred to Committee on Finance.

#### Free Conference Requested.

Senator Moore moved that the Senate refuse to concur in House amendments to S. B. No. 421 and ask for the appointment of a Free Conference Committee.

The motion prevailed.

The Chair appointed the following Senators on the part of the Senate:

MOORE,  
HOPKINS,  
WOODWARD,  
WOODRUFF,  
PURL.

**Bills Signed.**

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bill and resolutions:

H. C. R. No. 5.      H. C. R. No. 26.  
H. C. R. No. 13.    H. C. R. No. 39.  
H. C. R. No. 16.    H. B. No. 131.  
H. C. R. No. 25.

**Senate Bill No. 203.**

The Chair laid before the Senate on its second reading the following bill:

By Senators Woodul and Small:

S. B. No. 203. A bill to be entitled "An Act to amend Chapter 40, Acts of Second Called Session of Forty-second Legislature and Chapter 271, Acts of Regular Session of Forty-second Legislature as amended by said Chapter 40, Acts of Second Called Session of Forty-second Legislature, by adding to Section 8a Subsections 6a and 6b to be inserted between Subsections 6 and 7, and to declare that as to any and each lease and/or contract hereafter made by the Board of Mineral Development it is the policy of the State, with reference to the development of all portions of beds of rivers and channels described in such lease and/or contract that the activities of the State and of lessees and/or contract parties, their successors or assigns, under such lease and/or contract, shall conform to the valid laws of this State, etc., and declaring an emergency."

The committee amendment was adopted.

Read second time.

Senator Oneal sent up the following amendment:

Amend S. B. No. 203 by adding at the end of Section 1 the following:

"Provided that any revision made under this Act as referred to hereinbefore shall contain in such supplemental or modificatory instrument the power and authority on the part of the Board of Mineral Development to reinstate any money requirement or reduced royalty requirement at any time that in the opinion of the Board such reinstatement should, in view of the then existing conditions and fairness to the State of Texas under the original

lease or contract, be made; and the Board of Mineral Development shall exercise such power whenever in its opinion the interest of the State of Texas required the exercise of such power."

ONEAL.

The amendment was read.

Senator Woodul moved that the bill and amendment be set as special order for Tuesday morning immediately following the morning call.

Senator Woodruff moved as a substitute that the bill be re-committed to the Committee on State Affairs. The substitute motion was lost by the following vote:

Yeas—6.

Beck.	Pace.
DeBerry.	Poage.
Murphy.	Woodruff.

Nays—17.

Blackert.	Rawlings.
Collie.	Redditt.
Duggan.	Regan.
Fellbaum.	Sanderford.
Hopkins.	Small.
Hornsby.	Stone.
Parr.	Woodul.
Patton.	Woodward.
Purl.	

Absent.

Greer.	Oneal.
Martin.	Russek.
Moore.	

Absent—Excused.

Cousins.	Neal.
Holbrook.	

The motion to set the bill as special order prevailed.

**Senate Bill No. 248.**

The Chair laid before the Senate on its third reading the following bill:

By Senator Parr:

S. B. No. 248, A bill to be entitled "An Act making certain emergency appropriations out of the general revenue of the State of Texas for the balance of the fiscal year ending August 31, 1933, and declaring an emergency."

Read third time.

Senator Purl moved to lay the bill on the table subject to call.

Senator Parr moved to table the

motion. The motion to table prevailed by the following vote:

Yeas—14.

Blackert.	Rawlings.
Fellbaum.	Redditt.
Hopkins.	Regan.
Martin.	Sanderford.
Pace.	Small.
Parr.	Stone.
Patton.	Woodul.

Nays—10.

Collie.	Oneal.
DeBerry.	Poage.
Duggan.	Purl.
Hornsby.	Woodruff.
Murphy.	Woodward.

Absent.

Beck.	Moore.
Greer.	Russek.

Absent—Excused.

Cousins.	Neal.
Holbrook.	

Senator Purl sent up the following amendment:

Amend S. B. No. 248 by striking out after the word "Dollar," line 2, second section, line down to and including the word "Dollars," same being last word, second section of bill.

PURL.

Read and lost by the following vote:

Yeas—10.

Collie.	Oneal.
DeBerry.	Poage.
Duggan.	Purl.
Hornsby.	Woodruff.
Murphy.	Woodward.

Nays—11.

Blackert.	Redditt.
Fellbaum.	Regan.
Hopkins.	Small.
Pace.	Stone.
Parr.	Woodul.
Patton.	

Absent.

Beck.	Rawlings.
Greer.	Russek.
Martin.	Sanderford.
Moore.	

Absent—Excused.

Cousins.	Neal.
Holbrook.	

The bill was finally passed by the following vote:

Yeas—13.

Blackert.	Regan.
Fellbaum.	Sanderford.
Hopkins.	Small.
Pace.	Stone.
Parr.	Woodul.
Patton.	Woodward.
Rawlings.	

Nays—10.

Collie.	Oneal.
DeBerry.	Poage.
Duggan.	Purl.
Hornsby.	Redditt.
Murphy.	Woodruff.

Absent.

Beck.	Moore.
Greer.	Russek.
Martin.	

Absent—Excused.

Cousins.	Neal.
Holbrook.	

Reasons for Vote.

Mr. President: I vote "no" on final passage of S. B. No. 248 because the bill carried an item for fencing between Panola County and the State of Louisiana and between Houston and Trinity Counties. I oppose appropriating public money to improve private property. The Senate having refused to strike the item for \$4,000.00 for fences out of the bill, I vote against the bill in its entirety.

WOODRUFF.

I vote against S. B. No. 248 because of the appropriation provided therein for building fences. This, I think, would be a bad policy for the State to inaugurate.

ONEAL.

Senate Bill No. 374.

Senator Fellbaum called up from the table the following bill:

By Senator Fellbaum:

S. B. No. 374, A bill to be entitled "An Act fixing the term of office of school trustees of independent school districts heretofore created by special Acts of the Legislature, having the board of seven trustees and having included within their boundaries a city whose population was in excess

of two hundred thousand as shown by the last preceding Federal census; adjusting the terms of office of trustees to conform to the provisions of this Act; providing for the election of trustees of such independent school districts; providing for the filling of all vacancies in the office of trustees of such districts; and declaring an emergency."

Senator Fellbaum sent up the following amendment:

Amend S. B. No. 374 by striking out the words "Two Hundred Thousand," as they appear in lines 4 and 5, Section 1, of the bill, and inserting in lieu thereof the following:

"Two Hundred Twenty Thousand and less than Two Hundred Forty Thousand."

**FELLBAUM.**

Read and adopted.

Amend S. B. No. 374 in the 8th line of the caption by striking out the words "Two Hundred Thousand" as they appear and inserting in lieu thereof the following:

"Two Hundred Twenty Thousand and less than Two Hundred Forty Thousand."

**FELLBAUM.**

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Fellbaum, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 374 was put on its third reading and final passage by the following vote:

**Yeas—28.**

Beck.	Parr.
Blackert.	Patton.
Collie.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Oneal.	Woodul.
Pace.	Woodward.

**Absent—Excused.**

Cousins.	Neal.
Holbrook.	

Read third time and finally passed by the following vote:

**Yeas—28.**

Beck.	Parr.
Blackert.	Patton.
Collie.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Oneal.	Woodul.
Pace.	Woodward.

**Absent—Excused.**

Cousins.	Neal.
Holbrook.	

**Senate Bill No. 143.**

The Chair laid before the Senate on its third reading the following bill:

By Senator Parr:

S. B. No. 143, A bill to be entitled "An Act to amend Article 2938 of the Revised Civil Statutes of Texas, 1925, relating to the appointment of election judges and clerks in election precincts where there are one hundred citizens or more who have paid their poll tax or received their certificates of exemption, providing that the presiding judge appointed shall in all cases belong to the party that at the last General Election cast the largest vote for Governor throughout the State."

Read third time and finally passed.

Senators Poage, DeBerry, and Purl received unanimous consent to be recorded as voting "No" on the final passage of the bill.

**Senate Bill No. 372.**

The Chair laid before the Senate by unanimous consent the following bill out of its regular order:

By Senator Small:

S. B. No. 372, A bill to be entitled "An Act permitting appeals from orders and judgments of trial courts granting or refusing the appointment of receivers; providing for the perfection of such appeals; specifying the time for filing record in the Court of Civil Appeals and the contents of such record; providing for filing of briefs for advancing the cause on the docket of the appellate court, and for appointment of

receiver in the appellate court, or for remanding such cause with instructions; and declaring an emergency."

Read second time.

Senator Purl sent up the following amendment:

Add a new section by adding the following:

Nothing in this act shall apply to pending applications for receivership in any court of this State.

PURL.

Read and lost by the following vote:

Yeas—4.

DeBerry.	Purl.
Poage.	Woodruff.

Nays—18.

Blackert.	Parr.
Collie.	Patton.
Fellbaum.	Rawlings.
Hopkins.	Redditt.
Hornsby.	Regan.
Martin.	Sanderford.
Murphy.	Small.
Oneal.	Woodul.
Pace.	Woodward.

Absent.

Beck.	Moore.
Duggan.	Russek.
Greer.	Stone.

Absent—Excused.

Cousins.	Neal.
Holbrook.	

The bill was passed to engrossment.

On motion of Senator Small the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 372 was put on its third reading and final passage by the following vote:

Yeas—21.

Blackert.	Patton.
Collie.	Poage.
DeBerry.	Purl.
Fellbaum.	Rawlings.
Hopkins.	Redditt.
Hornsby.	Regan.
Martin.	Sanderford.
Murphy.	Small.
Oneal.	Woodul.
Pace.	Woodward.
Parr.	

Nays—1.

Woodruff.

Absent.

Beck.	Moore.
Duggan.	Russek.
Greer.	Stone.

Absent—Excused.

Cousins.	Neal.
Holbrook.	

Read third time and finally passed by the following vote:

Yeas—22.

Blackert.	Parr.
Collie.	Patton.
DeBerry.	Poage.
Fellbaum.	Rawlings.
Hopkins.	Redditt.
Hornsby.	Regan.
Martin.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Oneal.	Woodul.
Pace.	Woodward.

Nays—2.

Purl.	Woodruff.
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Absent.

Beck.	Greer.
Duggan.	Russek.

Absent—Excused.

Cousins.	Neal.
Holbrook.	

Motion to Take Up Bill.

Senator Oneal asked unanimous consent to take up out of its regular order S. B. No. 62.

Objection was heard.

Adjournment.

Senator Woodul moved to adjourn until 2 o'clock p. m., Monday.

Senator DeBerry moved to recess until 2 o'clock p. m., today.

The motion to adjourn until 2 o'clock p. m. Monday prevailed by the following vote:

Yeas—15.

Beck.	Patton.
Collie.	Rawlings.
Fellbaum.	Regan.
Hopkins.	Sanderford.
Martin.	Small.
Murphy.	Woodul.
Oneal.	Woodward.
Parr.	

## Nays—7.

DeBerry.	Purl.
Hornsby.	Redditt.
Pace.	Woodruff.
Poage.	

## Absent.

Blackert.	Moore.
Duggan.	Russek.
Greer.	Stone.

## Absent—Excused.

Cousins.	Neal.
Holbrook.	

At 12:53 o'clock p. m., the Senate adjourned.

## APPENDIX.

## Committee on Enrolled Bills.

Committee Room,  
Austin, Texas, March 10, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 18, carefully examined and compared and find same correctly enrolled.  
GREER, Chairman.

## Committee on Engrossed Bills.

Committee Room,  
Austin, Texas, March 9, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 54, carefully examined and compared and find same correctly engrossed.  
REGAN, Chairman.

Committee Room,  
Austin, Texas, March 9, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 38, carefully examined and compared and find same correctly engrossed.  
REGAN, Chairman.

Committee Room,  
Austin, Texas, March 9, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 127, carefully examined and compared and find same correctly engrossed.  
REGAN, Chairman.

Committee Room,  
Austin, Texas, March 9, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 172, carefully examined and compared and find same correctly engrossed.  
REGAN, Chairman.

Committee Room,  
Austin, Texas, March 9, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 314, carefully examined and compared and find same correctly engrossed.  
REGAN, Chairman.

Committee Room,  
Austin, Texas, March 9, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 248, carefully examined and compared and find same correctly engrossed.  
REGAN, Chairman.

Committee Room,  
Austin, Texas, March 9, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 143, carefully examined and compared and find same correctly engrossed.  
REGAN, Chairman.

Committee Room,  
Austin, Texas, March 9, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 52, carefully examined and compared and find same correctly engrossed.  
REGAN, Chairman.

Committee Room,  
Austin, Texas, March 10, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 374, carefully examined and compared and find same correctly engrossed.  
REGAN, Chairman.

Committee Room,  
Austin, Texas, March 10, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 372,

carefully examined and compared and find same correctly engrossed.  
REGAN, Chairman.

#### Committee Reports.

Committee Room,  
Austin, Texas, March 9, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 427 (Assault with intent to murder).

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SMALL, Chairman.

Committee Room,  
Austin, Texas, March 9, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 156 (Amateur boxing contests).

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SMALL, Chairman.

Committee Room,  
Austin, Texas, March 9, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 112 (Protecting native vegetation).

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass with committee amendments and be printed, but that attached committee substitute in lieu thereof do pass.

SMALL, Chairman.

Committee Substitute for S. B.  
No. 112.

An Act to prohibit all persons above the age of fourteen from wilfully taking, injuring, or destroying trees, shrubs, flowers and plants on the land of another, or on land reserved, set aside, or maintained by the State as public parks, or as

a refuge or sanctuary for wild animals, birds or fish without having obtained the consent of the owner of such land or the superintendent or custodian of such park, refuge or sanctuary; to prohibit possession and transportation or sale or exposure for sale of certain native vegetation, or the parts thereof; prescribing penalties, making exceptions as to those engaged in clearing and maintaining rights of way for county and State highways, and to public utilities in clearing and maintaining rights of way, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That it shall be unlawful for any person above the age of fourteen years to wilfully pick, pull, pull up, tear up, dig up, cut, break, injure, burn or destroy, any tree, shrub, fern, vine, or plant, growing or being upon the land of another, or upon any land reserved, set aside, or maintained by this State as a public park, or as a preserve or sanctuary for trees, plants, wild animals, birds, or fish, without having previously obtained the consent of the owner of such land or the consent of the superintendent or custodian of such park, refuge or sanctuary.

Sec. 2. That it shall be unlawful for any person to possess, transport, carry, or convey, on any public highway, or to sell, or expose for sale in any place any holly, youpon, smilax, dogwood, red bud (Judas trees), grey beard (fringe tree), jessamine, bluebonnets, Indian blankets (Indian paint brushes), cactus, except prickly pear, gallardias, gentiana (Texas bluebells and other varieties), gay feathers (blazing Star or Liatris), swamp azaleas, violets, mountain laurel (Sophora secundiflora), wild or native or evergreen or decorative trees, shrubs, vines, flowers or ferns which have been gathered, picked, cut or dug in violation of this Act.

Sec. 3. Any person who shall violate the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than one dollar nor more than fifty dollars.

Sec. 4. That the provisions of this Act shall not apply to the clearance and maintenance of rights of way for State and county highways



and to those engaged in business of public utility.

Sec. 5. That as used in this Act the words "person" and "another" shall be construed to embrace any firm, partnership, corporation, association, society, or organization, as well as a natural person.

Sec. 6. The fact that there is no law giving adequate protection to flowers, shrubs and trees growing upon the land of another, and the further fact that shrubs and flowers wilfully taken from the lands of others are being sold in the markets, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House, be and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 10, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

S. B. No. 109, A bill to be entitled "An Act defining pasture rights and regulating the use of pasturage and the number of cattle per acre in the County of Jefferson, in cases where different owners of land in the same enclosure pasture cattle thereon; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with the following committee amendments, and be not printed.

PARR, Chairman.

Committee Amendment No. 1.

Amend S. B. No. 109 by adding Section 2, to read as follows:

"Section 2: The fact that there is no law now regulating the use of pasturage and the number of cattle per acre in the County of Jefferson, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted."

Committee Amendment No. 2.

Amend the caption to conform with the body of the bill.

Committee Room,

Austin, Texas, March 9, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred

H. C. R. No. 43, the same being a resolution to give permission to R. A. Robinson to sue the State for property damaged in connection with highway construction.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

RAWLINGS, Chairman.

Committee Room,

Austin, Texas, March 9, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. C. R. No. 42, the same being a resolution to give permission to Jesse V. Creech to sue the State for property damaged in connection with highway construction.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

RAWLINGS, Chairman.

Committee Room,

Austin, Texas, March 10, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 273, A bill to be entitled "An Act authorizing the appointment of an Assistant District Attorney in the Seventh Judicial District, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, March 10, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 411, A bill to be entitled "An Act amending Article 322 of the 1925 Revised Civil Statutes of Texas, same being Acts of 1927, 40th Legislature, page 22, Chapter 151, by omitting the word 'fortieth' which same is the Fortieth Judicial District of Ellis County, Texas, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODWARD, Chairman.

#### FORTY-SECOND DAY.

Senate Chamber,  
Austin, Texas,

Monday, March 13, 1933.

The Senate met at 2 o'clock p. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Small.
Hornsby.	Stone.
Martin.	Woodruff.
Moore.	Woodul.
Murphy.	Woodward.
Neal.	

Absent—Excused.

Fellbaum.	Russek.
Patton.	Sanderford.

Prayer by Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

#### Committee Reports.

(See Appendix.)

#### Bills and Resolutions.

By unanimous consent, the rule relating to the introduction of general bills after the first 52 days of session, was suspended and consent was granted to introduce the following bills:

By Senator Holbrook:

S. B. No. 433, A bill to be entitled "An Act making an appropriation of twenty-five thousand dollars or so much thereof as may be necessary for the construction of a fire-proof and burglar-proof vault in the State Treasury Department, and the installation of a burglar alarm system in said department, and declaring an emergency."

Read and referred to Committee on Finance.

By Senator Holbrook:

S. B. No. 434, A bill to be entitled "An Act to amend Article 1302, Title 32, of the Revised Civil Statutes of Texas of 1925, providing additional purposes for which corporations may be formed under the laws of the State of Texas."

Read and referred to Committee on Civil Jurisprudence.

By Senators Beck, Moore, DeBerry:

S. B. No. 435, A bill to be entitled "An Act amending Article 1027, Code of Criminal Procedure, as amended by Chapter 205, General Laws, Regular Session, Forty-second Legislature, so as to provide that no officer shall collect any fees from the State of Texas in any case, except murder, where a defendant may, under the indictment, be convicted of a misdemeanor or a felony with punishment assessed at a fine, jail sentence or both such fine and imprisonment in jail, until after the case has been finally disposed of; providing that the provisions of this Act shall not be construed as in any way affecting the provisions of Article 1019, Code of Criminal Procedure, as amended by Chapter 205, General Laws, Regular Session, Forty-second Legislature; and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senators Beck, Purl, DeBerry, Moore:

S. B. No. 436, A bill to be entitled "An Act amending Article 273, Code of Criminal Procedure of the State of Texas for 1925, by adding thereto subsection 6, providing that the bail bond of an accused shall be conditioned that the principal and sureties will pay all expenses incurred by peace officers in re-arresting the principal in the event the conditions of the bond are violated and he fails